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Attorney Docket No.: **60188-155**  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Keiichi KUSUMOTO

Serial No.: 10/084,978

Filed: March 1, 2002

For: INTEGRATED CIRCUIT DEVICE AND METHOD FOR FORMING THE SAME

:  
: Customer No.20277  
:  
: Confirmation No.: 2235  
:  
: Group Art Unit: 2812  
: Examiner: STACY WHITMORE  
:

**ELECTION UNDER 35 U.S.C. § 121**

Mail Stop Non-Fee Amendment  
Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action  
mailed February 2, 2004, having a shortened statutory period for response set to  
expire March 2, 2004, wherein the Examiner required restriction between the  
following Groups:

- |           |   |  |
|-----------|---|--|
| Group I   | - | Claims 1-7, drawn to an optimized integrated circuit;                |
| Group II  | - | Claim 8, drawn to an integrated circuit isolating lines for testing; |
| Group III | - | Claims 9-10, drawn to an optimized integrated circuit;               |
| Group IV  | - | Claims 11-12, drawn to an optimized integrated circuit;              |
| Group V   | - | Claims 13-15, drawn to an optimized integrated circuit; and          |

Group VI - Claim 16, drawn to optimizing area/current.

Applicants elect without traverse, Group IV - claims 11-12 for initial prosecution on the merits.

Applicants also reserve the right to file a Divisional Application for the non-elected claims 1-10 and 13-16, which the Examiner has indicated is patentably distinct.

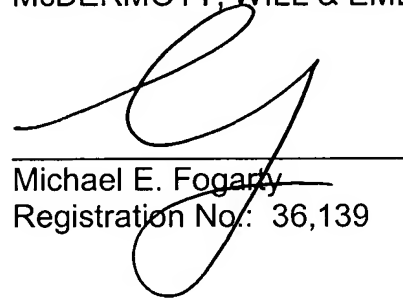
Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT, WILL & EMERY

Date: 3/2/04

By:

  
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